HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.16358 of 2006

Dated 4th AUGUST 2006

Between:

Nath Bio-Gene (I) Limited, a Company incorporated
Under the Companies Act, 1956, having its Registered office at
Nath House, Nath Road, Aurangabad-431005, Maharashtra and one of its Branch Offices at H.No.3-5-855/4/4, 1st Floor
New Petrol Pump, Hyderguda, Hyderbad-500 029, rep. By its
Sales Manager, Mr. Arvind

…. Petitioner

And:

The Commissioner & Director of Agriculture
Government of Andhra Pradesh, Gunfoundry
Hyderabad

… Respondent

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ORDER:

Learned counsel for the petitioner as well as the learned Government Pleader submitted that the issue that arose for consideration is squarely covered by the Judgment of this Court in W.P.No.10657 of 2006 & batch dated 31.05.2006. Therefore, this Writ Petition is also liable to be disposed of in the light of the above judgment.

In the said writ petition it was held as under:

> "In view of the fact that no licence is required under the Act for manufacture and sale of bio-products as long as they do not contain any ingredients of insecticide as mentioned in the schedule, i.e. Antagonistic Fungi and Bacteria, respondents cannot interfere with the store, sale and distribution of bio-products belonging to the petitioners.
>
> It is needless to say that if the bio-products contain any chemical or insecticides which endangers the environment, it is always open for the concerned authorities to take appropriate action against the petitioners-manufacturers and the dealers of the said bio-products, and by the Executive Magistrate in exercise of powers under Section 133 Cr.P.C.
>
> The writ petitions are accordingly disposed of. No costs."

Following the aforesaid judgment, this writ petition is also disposed of. No order as to costs.

C.V. RAMULU, J

Dated: 4th AUGUST 2006

BSS